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Notice of Allowability

Application No.

10/783,266

Applicant(s)

STORM ET AL.

Examiner

Nicholas Ponomarenko

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/20/2004.
2. ☒ The allowed claim(s) is/are 12-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3 pages
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Election/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-11, drawn to an electrical generator system with belt and pulley interconnection structure.
 - II. Claims 12-21, drawn to a power generator system with controls of interconnection RPM between engine and generator.
 - III. Claims 22-34, drawn to a generator system with disengaging device for interconnection between prime mover and generator.
 - IV. Claims 40, 42, 43 and 45, drawn to a method for operating a generator at predetermined RPM.

2. The inventions are distinct, each from the other because of the following reasons: Inventions of Group I through IV are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together, or they have different modes of operation, or they have different functions, or they have different effects. (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different modes of operation, functions and effects.

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3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with Mr. Gary M. Gron (Reg.No. 24,293) on August 29, 2005, a provisional election was made without traverse to prosecute the invention of Group II, claims 12-21. Claims 1-11, 22-34, 40, 42, 43 and 45 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. This application is in condition for allowance except for the presence of claims non-elected without traverse. Accordingly, claims 1-11, 22-34, 40, 42, 43 and 45 have been cancelled.

Examiner's Amendment

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. §1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Gary M. Gron (Reg.No. 24,293) on August 29, 2005.

3. The application has been amended as follows:

Cancel claims 1-11, 22-34, 40, 42, 43 and 45.

Amend claims 12-14, 16-20 as follows.

12. (Amended) A vehicle mounted AC electrical generator system comprising:
[, said vehicle including]

a prime mover controlled by a control system to a predetermined RPM,
[said AC electrical generator system comprising:]

an AC electrical generator positioned in said vehicle and having a mechanical power input connection for driving said AC electrical generator to produce electricity,
a transfer device receiving mechanical power from said prime mover and transferring said mechanical power to said AC electrical generator mechanical power input connection, said [mechanical power] transfer device [incorporating a fixed RPM ratio to match] having a means for matching the RPM of the prime mover to the operational RPM of said AC electrical generator.

13. (Amended) Apparatus as claimed in claim 12 wherein said [mechanical power] transfer device [incorporates a step up RPM ratio to increase] increases the RPM from said prime mover to said AC electrical generator.

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14. (Amended) Apparatus as claimed in claim 13 wherein said prime mover operates at preselected RPM and over [a variable] operational RPM range as dictated by said control system, and

wherein said prime mover [operates] rotates the transfer device when said prime mover is at said preselected RPM.

16. (Amended) Apparatus as claimed in claim 12 wherein said prime mover has [an auxiliary power output] a power takeoff unit (PTO) and said transfer device connects between said [auxiliary power output] PTO and the mechanical power input connection of said AC electrical generator.

17. (Amended) Apparatus as claimed in claim 16 wherein said transfer device comprises:

a connection between the rotary output of said [auxiliary power output] PTO and a point adjacent said AC electrical generator, and

a means for establishing a predetermined RPM ratio between said rotatable output [connection] RPM and the input [connection] RPM of said AC electrical generator.

18. (Amended) Apparatus as claimed in claim 17 wherein said means for establishing RPM ratio [device] increases the RPM [between] of said [auxiliary power takeoff] PTO output [and said AC electrical generator].

19. (Amended) Apparatus as claimed in claim 17 wherein said AC generator operates at 3600 RPM [during operation].

20. (Amended) Apparatus as claimed in claim 17 wherein said AC generator operates at 3,000 RPM [during operation].

Reasons for Allowance

6. Claims 12-21 are allowed.

7. Examiner's Statement of Reasons for Allowance:

Applicant(s) invention relates to a power generation system, and more specifically, to a power generation system mounted on a vehicle.

The system has an AC electrical generator mounted outside from the vehicle engine compartment. Interconnection between the engine and the generator is done by a transfer device, which has its functional elements and controls, which allow to achieve a predetermined RPM on the generator, as disclosed.

There are inventions in the field that provide similar functionality and/or have similar features, as prior art of record shows. Applicant(s) invention differs from the prior art of record by the functional transfer device and the means for controlling the RPM of the engine, which were interpreted by the examiner as they are disclosed, which are performing as claimed, and which examiner's search failed to find.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant(s) disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Ponomarenko whose telephone number is (571) 272- 2033, Fax: (571) 273-2033, or to his SPE Darren Schuberg – (571) 272-2044.

11. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2800 Customer Service
Phone: (571) 272-2815

np
August 31, 2005



**Nicholas Ponomarenko
Primary Examiner
Technology Center 2800**